

PART I



GOVERNMENT OF KERALA
Health and Family Welfare (S) Department
NOTIFICATION

G.O. (P) No. 488/2007/H&FWD.

Dated, Thiruvananthapuram, 26th November 2007.

In the judgment dated 16-7-2007 in OP 17023/2002 (B) filed by Dr. Raghavan Naicker the Hon'ble High Court has directed Government and Departmental Promotion Committee to take a decision whether the petitioner is eligible to be promoted from the date of occurrence of vacancy or from the date in which he was eligible for promotion.

Dr. Raghavan Naicker has joined as Lecturer in Medical Education Service on 5-8-1996 and probation was declared w.e.f. 5-8-'998. He has completed 3 years teaching experience on 4-8-1999 and acquired MD in Paediatrics and DM in Neurology on 04/02. Though Dr. Raghavan Naicker has acquired DM Neurology on 04/02 his first PG Degree was in Paediatrics. As per the qualification for the post of Assistant Professor of Neurology DM should be acquired after MD General Medicine. But in this case Dr. Raghavan Naicker acquired MD Paediatrics instead of General Medicine. Hence the DPC meeting held on 2003 has not given him priority for promotion.

But later he was given promotion on the basis of the same qualification But he has lost seniority. Therefore he has approached the Hon'ble High Court to get the seniority restored. The High Court has observed that if he was given promotion earlier on the basis of same qualification, his present request case can be considered earlier. On the basis of the court direction the case has been placed before the Departmental Promotion Committee Meeting held on 5-10-2007. The Committee examined the matter in detail in view of the judgment dated 16-7-2007 and decided to assign the vacancy of Assistant Professor in the Department of Neurology to the following persons w.e.f. the date of eligibility noted against their names.

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| 1. Dr. Raghavan Naicker, M. | 1-4-2002 |
| 2. Dr. Jacob George | 28-8-2003 |

DR. VI SHWAS MEHTA,
Secretary to Government,
Health & Family Welfare Department and Convenor
of DPC (Higher) for Medical Education Service.